



A 501 (C) (3) Corporation

March 2, 2022

United States Hang Gliding & Paragliding Association
P.O. Box 1330
Colorado Springs, CO

U.S. Department of Transportation
Docket Operations, M-30
West Building ground floor
1200 New Jersey Avenue, SE
Washington, DC 20590

RE: Request for Extension of Exemption No. 4144S (Docket number FAA-2002-12590)

Office of the Chief Counsel:

The United States Hang Gliding and Paragliding Association (USHPA) hereby petitions for renewal of Exemption number 4144S, to be identified as 4144T, to continue to allow unpowered ultralight vehicles to be towed aloft by USHPA tow-endorsed ultralight pilots with powered ultralights for recreational and/or instructional purposes only.

Comments in Support of the Request

Exemption number 4144 was originally granted in 1984. Renewal has been continuously approved since that time, most recently in 2020. Aerotowing is a vital component of our sport, and is the primary or only launch method available to hang glider pilots in many parts of the country. Over the years, thousands of aerotow flights have been performed by USHPA tow-endorsed powered ultralight pilots operating under this exemption. Since its renewal in 2020, there have been no incidents involving activities involving Part 103 ultralights towing hang-gliders.

While many hang gliding aerotow flights are performed each year using light sport aircraft as tugs, use of true Part 103 ultralights as tugs continues to be a viable and active segment of our sport.

As part of the exemption renewal process, the USHPA has kept the FAA informed and updated on the safety record of hang glider aerotowing operations. Our letter of request to renew exemption 4144M, dated March 24, 2012, reported a history of ten incidents related to the aerotowing of hang gliders, spanning the years from 1985 through 2011. Of those, only the one in 1985 involved the use of a true 103 compliant ultralight as a tug; the other nine incidents occurred when a light sport aircraft or heavy two-place ultralight (Before Sport Pilot Regulations went into effect) was used as a tow plane. There have been no incidents involving Part 103 compliant ultralights as a tug since then. No fatal hang gliding aerotow accidents involving the use of a true ultralight tug operating under Exemption #4144 have occurred since 1985.

The overall reliability and safety of the aerotow method for launching of hang gliders is well-proven, as shown by our overall record, and has increased substantially since its inception nearly 40 years ago. USHPA's operating guidelines governing this practice represent a complete program for aerotowing safety. The association's efforts to continuously improve its aerotow operation standards, disseminate this information, and assure and monitor its adoption are comprehensive and designed to increase the safety and viability of the sport. Based on this safety record, the needs of our membership, and the effective structure of our existing USHPA aerotow safety program, we request the renewal of Exemption 4144 to continue to allow towing of unpowered ultralights by powered ultralights for recreational and/or instructional purposes only.

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Summary for the Federal Record

The United States Hang Gliding and Paragliding Association (USHPA) requests an extension and revision of Exemption 4144S into Exemption 4144T, to continue to allow unpowered ultralight vehicles to be towed aloft by USHPA tow-endorsed ultralight pilots with powered ultralights for recreational and/or instructional purposes only.

Respectfully submitted,

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Email: executivedirector@ushpa.org

cc: Steve Pearson, President
Matt Taber, Vice President
Jamie Shelden, Secretary
Bill Hughes, Treasurer
Tiki Mashy & Chris Santacroce, Co-Chairs for the Towing committee
Doyle Johnson & Greg Kelley, Co-Chairs for the Training & Certification committees

attachments: FAA Towing Exemption 4144T (draft)

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FAA TOWING EXEMPTION No. 4144T (draft)

Pursuant to the authority contained in Sections 313(a) and 601(c) of the Federal Aviation Act of 1958, delegated to me by the Administrator (14 CFR 11.53), the individuals authorized by the USHPA are granted an exemption for the FAR's to the extent necessary to allow unpowered ultralight vehicles to be towed aloft by USHPA tow-endorsed ultralight pilots with powered ultralights for recreational and/or instructional purposes only.

This exemption terminates on May 31st, 2024, unless sooner superseded or rescinded.
(name)

Director, Flight Standards Service

Issued in Washington, D.C. on October 25, 1984 and renewed on (date, 2022)

The exemption is subject to the following limitations regarding unpowered ultralight vehicles to be towed aloft by USHPA tow-endorsed ultralight pilots with powered ultralights for recreational and/or instructional purposes only:

1. Each operation must comply with all sections of 14 CFR Part 103 except 103.1(b).
2. No charge, assessment or fee may be made for the operation of the towing ultralight except the actual expenses of the specific flight.
3. Both pilots on both ultralights must possess a current pilot rating issued by the USHPA.
4. For identification purposes, the USHPA shall issue an individual authorization to each person allowed to conduct operations under this exemption. Each authorization shall include an identification number and a copy of this exemption. The USHPA shall have a procedure to rescind this authority when needed.
5. Each individual who operates an ultralight vehicle under the authority of this exemption must be familiar with the provisions contained herein and must have in his or her personal possession a copy of the authorization issued by the USHPA and a copy of this exemption. These documents shall be presented for inspection upon request by the FAA.
6. Operations conducted under this exemption shall be in accordance with the safety and certification rules and guidelines, as amended, established by the USHPA, including those specified in paragraphs 1 through 12 in the petitioners supportive information, as follows:

The following requirements must be adhered to:

1. Both vehicles (powered and unpowered ultralight) must meet the vehicle standards of Part 103.
2. Both vehicles must meet the requirements of the USHPA Towing standards.
3. While towing, both vehicles may be used for recreational and/or instructional purposes only.
4. The pilot of the powered ultralight vehicle must possess and have in his possession a current Aerotow Vehicle Pilot appointment issued by the USHPA.
5. The pilot of the unpowered ultralight vehicle must possess and have in his possession a current pilot rating issued by the USHPA, with Aerotow special skill endorsement. This rating shall be at least a USHPA Intermediate (level 3) for a recreational pilot and a USHPA Novice (level 2) for a student pilot under the supervision of a USHPA certified instructor.
6. The towed unpowered ultralight (hang glider) may be used for two place instructional purposes if the instructor possesses a current USHPA instructor rating and is operating under the conditions of the two-place exemption.
7. Prior to a student's first flight in a towed unpowered ultralight, the pilot of the powered ultralight and the instructor must inform the student that instruction under tow is conducted under an exemption granted to the USHPA by the FAA.
8. The instructor must keep written record of all operations conducted under this exemption. The record shall include the student's name, the date and the location of the instruction. The record must be maintained for 12 calendar months. The instructors shall present this record for inspection upon reasonable request by the USHPA or the FAA.
9. The instructor shall notify the USHPA within 30 days of any accident occurring while operating under this exemption. This information shall be made available upon reasonable request by the FAA.

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10. The structural integrity of the tow hitch and tow line must be substantiated in accordance to USHPA standards and recorded in the tow launch vehicle records by the owner.

11. To qualify for ultralight towing operations under this exemption, the operational capabilities of the powered ultralight to satisfactorily tow and release an unpowered ultralight must be initially demonstrated in an assigned test area under actual operational conditions to a USHPA observer and be duly recorded in the tow vehicle records.

12. Both towed and towing pilots must obey operational procedures set forth in the USHPA Towing standards.

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